

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

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FILED

Michael K. Brown

2022 AUG 26 P 1:36

Plaintiff(s),

v.

Case No.22-cv-00934

Warden Daniel Cromwell

Defendant(s).

MOTION TO AMEND PETITION FOR HABEAS CORPUS

Comes now, the plaintiff Michael K. Brown requests to amend his petition for Habeas Corpus in the above listed matter. The amendment is related to the same claim of due process violation in terms of defective plea colloquy and/or jury instruction, plea questionnaire. The person responsible for the jury instructions, explanation of the essential elements of the crime was my defense counsel. Under oath defense counsel has stated that he did not have correct jury instructions or plea questionnaire and thus could not refer to the correct elements of the crime being convicted of. Therefore the issue of ineffective assistance of counsel should be argued in conjunction with the due process violation of attaching incorrect jury instructions as defense counsel would be responsible for attaching those incorrect jury instructions and explaining the elements of the crime to his client. It is my understanding that I am limited to the same claims that were argued in state-court but I am not limited to the same precise argument regarding those claims once I get to the briefing stage.

In the petition it states the due process violation violated my constitutional rights. The harm derivative of that constitutional violation is something that can be articulated in briefing based on my previous defense counsels sworn testimony on record and the facts of the record will support the argument.

I would also like to request the appointment of counsel as this case is complex and very difficult for a pro se litigant to address solely. It should be known to the court that I have inquired numerous law firms with hopes of them taking my case pro bono to no avail.

Also if possible to enclose any literature for pro se litigants in terms of federal habeas procedure and the complexities that can be anticipated for pro se litigants.

Respectfully submitted,

 8-23-2022

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PROOF OF SERVICE

I am an inmate confined in a institution. Today, August 23rd I am depositing the Motion to Amend petition, Consent for Magistrate Judge in this case in the institutions internal mail system. First class postage is being prepaid by me or by the institution on my behalf.

I declare under penalty of perjury that the foregoing is true and correct. (see 28 U.S.C. § 1746; 18 U.S.C. § 1621).



Michael K. Brown pro se

8-23-2022

signed on